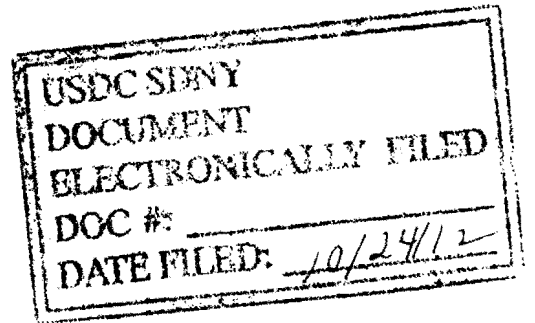


**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**



-----X
LEROY PEOPLES,

Plaintiff,

- against -

BRIAN FISCHER, et al.,

Defendant(s).
-----X

ORDER

11 Civ. 2694 (SAS)

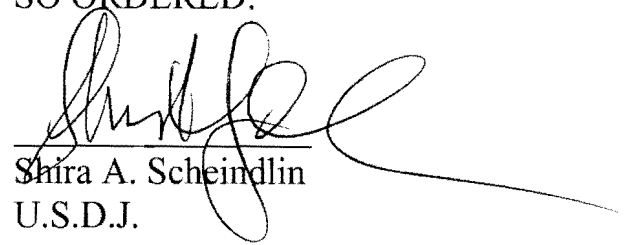
SHIRA A. SCHEINDLIN, U.S.D.J.:

At today's conference, which was on the record, I granted plaintiff's counsel's request to file an amended complaint by November 19, 2012.

Defendants, however, filed a motion to dismiss the pro se amended complaint drafted and filed by Leroy Peoples. To permit defendants an opportunity to move against the operative complaint, defendants' current motion to dismiss is hereby withdrawn, without prejudice, subject to reinstatement by December 3, 2012.

Plaintiff shall respond by December 17, 2012, and defendants' reply is due by December 31, 2012. The Clerk of the Court is directed to close defendants' motion to dismiss (Docket Entry # 55).

SO ORDERED:



Shira A. Scheindlin
U.S.D.J.

Dated: New York, New York
October 23, 2012

- Appearances -

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